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Viewing cable 09QUITO233, POLICE UNIT INVESTIGATED WHILE CHAUVIN CASE INCHES

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#09QUITO233**.

Reference ID	Created	Released	Classification	Origin
09QUITO233	2009-04-02 22:27	2011-08-30 01:44	CONFIDENTIAL	Embassy Quito

Appears in these articles:

<http://www.eluniverso.com/2011/04/07/1/1355/cable-200475.html>

VZCZCXYZ0000
OO RUEHWEB

DE RUEHQT #0233/01 0922227
ZNY CCCCC ZZH
O 022227Z APR 09
FM AMEMBASSY QUITO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0227
INFO RUEHBO/AMEMBASSY BOGOTA 8080
RUEHBR/AMEMBASSY BRASILIA 4135
RUEHCV/AMEMBASSY CARACAS 3488
RUEHLP/AMEMBASSY LA PAZ APR LIMA 3139
RUEHGL/AMCONSUL GUAYAQUIL 4240
RUEABND/DEA HQS WASHDC
RHEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHINGTON DC
RHMFISS/CDR USSOUTHCOM MIAMI FL

C O N F I D E N T I A L QUITO 000233

SIPDIS

E.O. 12958: DECL: TWENTY YEARS

TAGS: [SNAR](#) [PTER](#) [PREL](#) [PGOV](#) [KCRM](#) [EC](#) [CO](#)

SUBJECT: POLICE UNIT INVESTIGATED WHILE CHAUVIN CASE INCHES

FORWARD

REF: A. QUITO 227
[1](#)B. QUITO 177
[1](#)C. QUITO...

id: 200475
date: 4/2/2009 22:27
refid: 09QUITO233
origin: Embassy Quito
classification: CONFIDENTIAL
destination: 09QUITO103|09QUITO153|09QUITO177|09QUITO227
header:
VZCZCXYZ0000
OO RUEHWEB

DE RUEHQT #0233/01 0922227
ZNY CCCCC ZZH
O 022227Z APR 09
FM AMEMBASSY QUITO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0227
INFO RUEHBO/AMEMBASSY BOGOTA 8080
RUEHBR/AMEMBASSY BRASILIA 4135
RUEHCV/AMEMBASSY CARACAS 3488
RUEHLP/AMEMBASSY LA PAZ APR LIMA 3139
RUEHGL/AMCONSUL GUAYAQUIL 4240
RUEABND/DEA HQS WASHDC
RHEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHINGTON DC
RHMFISS/CDR USSOUTHCOM MIAMI FL

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C O N F I D E N T I A L QUITO 000233

SIPDIS

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FORWARD

REF: A. QUITO 227
[1](#)B. QUITO 177
[1](#)C. QUITO 153
[1](#)D. QUITO 103

Classified By: Ambassador Heather M. Hodges for Reasons 1.4 (b&d)

[1](#)1. (C) SUMMARY: Ecuador's "narco-politics" scandal is playing out in perverse ways. The good guys) key personnel of a specialized police unit that was responsible for most of the GOE's success against narco-traffickers) are under investigation by the GOE for returning USG computers and fear FARC reprisals. Government Minister Jalkh has taken a few steps to restore the integrity of the unit, but its future effectiveness remains highly in doubt. Meanwhile, the case against one of the bad guys) former Under Secretary Chauvin, whose ties to FARC narco-trafficking were uncovered by the police unit) is at least inching forward due to the courage of the prosecutor. But President Correa is threatening reprisals against the prosecutor and intends to bring another bad guy, Chauvin ally and former minister Gustavo Larrea, back into the cabinet. END SUMMARY.

GOVERNMENT MINISTER INTERVENES IN ADMINISTRATION OF SPECIAL POLICE UNIT

[1](#)2. (C) After two very bad months, the Special Police Investigative Unit (UIES), formerly supported by the USG, experienced a mixed bag of changes over the past two weeks. This is the unit that uncovered former Government Under Secretary Ignacio Chauvin's alleged ties to narcotraffickers

(Ref C) and carried out many other operations critical to the success of Ecuador's fight against narcoterrorism. However, the UIES lost its leadership and key personnel on February 4 when Police Commander Jaime Hurtado transferred them out of the unit (Ref D), replacing the unit chief with Major Rafael Perez. Due to his failure to pass a polygraph test and the GOE's refusal to vet Perez and other personnel for the elite unit, the USG was forced to end its support, which the press reports amounted to approximately \$2 million annually and essentially financed its operations.

13. (C) One positive development was Minister of Government and Police Gustavo Jalkh's request on March 25 that Police Commander Hurtado remove Perez as UIES Chief because he did not have the "profile appropriate to manage a special police unit," explaining that it should be led by an officer with the rank of at least colonel. Two days later, Hurtado announced that the unit would be led by Colonel Juan Carlos Rueda, who was trained in tactics under the Group of Intervention and Rescue, served as the Chief of the Judicial Police of Guayas province, and most recently worked in the Commission of Police Reforms. Rueda is someone we think we may be able to work with.

14. (C) In another constructive move, Minister Jalkh on March 24 criticized transfers ordered by Hurtado in early February and requested that all transfers be suspended for 60 days, saying that "constant transfers of police personnel have provoked a lack of continuity in the work they perform, which has had an effect on the efficiency of their work."

15. (C) On the negative side of the ledger, however, Minister Jalkh announced plans for the unit to report directly to the General Directorate of Intelligence (which will report to the Presidency). The impact of other decisions is less clear: Jalkh said the unit would be funded by national resources and "countries that want to support the work of this group against organized crime," and include the use of Ecuadorian polygraph testing in the recruitment of personnel. Hurtado decided to change the name of the unit to the Fight Against Organized Crime Unit.

FORMER UIES CHIEF SUBJECT TO INVESTIGATION AND THREATS

16. (C) Major Manuel Silva, who had served as the UIES Chief until February 4, responded on March 24 to accusations of improper conduct, specifically regarding the controversial "handover of sensitive information" to the U.S. Embassy upon the unit's return of Embassy-donated computers and equipment. He stated that Police Commander Hurtado had authorized the return of all the equipment. (Note. The information contained in the computers has been jointly shared and collaborated upon between the unit and the Embassy for several years. End Note.)

17. (C) Major Silva filed a formal complaint on March 24 with the Prosecutor General's office, urging it to investigate the alleged burning of critical documents in the UIES unit ordered by Major Perez. According to Silva, Perez ordered the burning of the documents with the intent of alleging their "disappearance" in order to implicate Silva further.

18. (SBU) In early February, the newly appointed UIES chief Major Perez had accused former UIES chief Major Silva and three other former UIES officials with the rank of captain of delivering the computers to the U.S. Embassy. Following review and a decision by a Council of Generals, the case against Silva and the three captains was handed to the Ministry of Government and Police on February 16. Based on a subsequent report from Minister Jalkh and Minister of Internal and External Security Miguel Carvajal, a prosecutor of the Miscellaneous Crimes Unit opened a case on March 18 to investigate Silva and the UIES unit. Meanwhile, the Legislative Commission accepted a request by the Popular Democratic Movement to conduct its own investigation of the UIES unit.

19. (C) Attorneys for the captains have complained that the

investigation has violated their defendants' rights and that the review process by the Council of Generals was unjust and did not allow for an appeal and was not transparent. Family and friends of Major Perez protested in front of the Ecuadorian National Police headquarters on March 31 demanding that the case against Silva be transparent and fair.

¶10. (C) As a consequence of the very public nature of the transfer and investigation of former UIES chief Silva and others in the unit, including the daily appearance of Silva's name and photo in the press, Silva and the others have had their personal security put at risk as potential FARC targets. Silva is currently in hiding and has been promised security by the GOE, but his family reportedly has not yet been contacted to coordinate this protection.

WHO HAS THE CASE?

¶11. (C) Guayas province Prosecutor Antonio Gagliardo decided March 24 to allow cases to proceed against Chauvin and 25 others implicated in the UIES's Border Hurricane operation against narcotraffickers. This allowed the cases to advance to the next stage in the judicial process, namely a court hearing. Gagliardo held back three cases for further review. Counternarcotics Prosecutor Jorge Solorzano had filed charges against all 29 on March 9.

¶12. (C) Attempts to change the judge and jurisdiction in the Chauvin case failed. A Guayas province judge had earlier reviewed a complaint filed by one of the defendants regarding the jurisdiction of the case and announced that the original judge Zoila Alvarado would no longer hear the case, and that it would be transferred to Esmeraldas. However, the Guayas district court returned the case to Judge Alvarado on March 13, so she still has jurisdiction, at least for now.

IS LARREA COMING BACK?

¶13. (C) A Political Control and Oversight Committee of the interim Legislative Commission, responding to a call by Julio Logrono of former president Lucio Gutierrez' Patriotic Society Party (PSP), decided to carry out an investigation into former minister Gustavo Larrea's authorization of or consent to Ignacio Chauvin's seven admitted meetings with the FARC. The committee began its ten day review on March 31. The investigation will stretch well past the April 26 elections.

¶14. (C) Defending Larrea, President Correa announced during his March 14 weekly radio/TV address that he would request that the Prosecutor General investigate Prosecutor Solorzano, "because what he has done is just a show. As a result, what they have done is accuse Chauvin of being an accomplice, as well as Gustavo (Larrea), but haven't found anything." Correa then added that he intended to reintegrate former Security Minister Larrea back into his cabinet. To date, however, he has not appointed Larrea to any cabinet position.

¶15. (C) Responding to statements by PSP and the Commission questioning Larrea's ties to the FARC, Larrea held a press conference on March 26. He stressed that the Correa government's efforts in the northern border region were unprecedented and that there was a campaign to link the GOE to the FARC. He refuted any allegations of his own ties to the FARC. Larrea accused expelled diplomat Mark Sullivan of being the point-man of a structured USG system of intelligence for the region and the CIA of participating in a plot against the Correa government.

¶16. (C) Larrea's appointment (if it happened) would be his third rise to Correa's cabinet, having served first as Minister of Government and Police and then as Coordinating Minister of Internal and External Security. However, Correa's recent comments in defense of Larrea are likely just an attempt to persuade voters that the GOE is clean and to appease Larrea supporters.

COMMENT

¶17. (C) Despite a couple of steps forward, effective prosecution and sentencing of those accused of narcotrafficking as a result of the UIES's Border Hurricane operation will likely be stymied by Ecuador's ineffective legal system. Meanwhile, the ability of Ecuador's police to combat and investigate other narcotrafficking cases is suffering, at least in the short term. For example, due to a lack of training and experience, Ecuadorian polygraphing will not likely be carried out in an effective or reliable manner.

Even more problematic is the fact that the UIES and other special investigation units will now be managed by political appointees in the General Directorate of Intelligence. In an environment of slow-moving investigations and increasing political control, the door is open for the Correa government to shape the outcomes and divert public attention away from any suggestion of GOE narco ties.

HODGES

=====CABLE ENDS=====